

## **Chapter 2**

### **DEFINITIONS**

#### **2.1 Use of Definitions**

#### **2.2 Rules**

#### **2.3 Definitions**

#### **2.1 Use of Definitions**

In the construction of this Ordinance, the definitions contained in this Chapter shall be observed and applied, except when the context clearly indicates otherwise.

#### **2.2 Rules**

In the construction of and throughout this Ordinance, the rules contained in this Section shall be observed and applied, except when the context clearly indicates otherwise.

- A. Words used in the present tense shall include the future; and words used in the singular number shall include the plural number, and the plural, the singular.
- B. The words "shall" and "will" are mandatory and not discretionary.
- C. The word "may" is permissive.
- D. The word "lot" shall include the words "plot", "piece", and "parcel".
- E. Unless otherwise specified, all distances shall be measured horizontally.
- F. Whenever a word or term defined hereinafter appears in the text of this Ordinance, its meaning shall be construed as set forth in this Chapter.
- G. The masculine gender shall include the feminine and neuter.
- H. All measured distances shall be expressed in feet and shall be calculated to the nearest tenth (0.10) of a foot and rounded to the nearest foot.
- I. The word "person" shall include the words "association", "corporation", "estate", "governmental agency", "individual", "joint venture", "partnership", "venture", or any other legal entity.
- J. The word "building" shall include the word "structure".
- K. The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for", and "occupied for".

#### **2.3 Definitions**

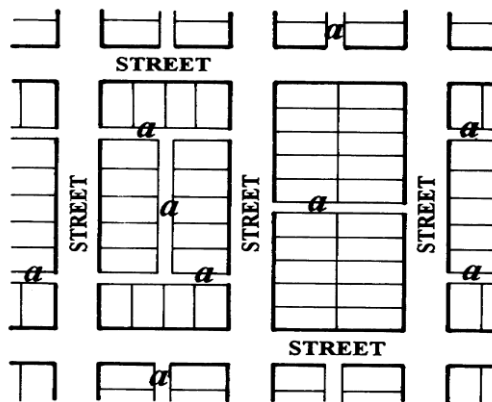
The following words and terms when used in the interpretation and administration of this Chapter shall have the meaning set forth herein except where otherwise specifically indicated. Words and terms not defined here shall be defined as specified in the latest published edition of Webster's New Collegiate Dictionary or similar dictionary of common usage.

**Acreage:** shall mean any tract or parcel of land which has not been subdivided and platted.

**Adult Business, Adult Use:** see Section 7B.2.1 of this Ordinance.

**Agriculture:** shall mean land, or land and structures, primarily used and intended for one or more of the following: the growing of farm crops, truck garden crops, animal and poultry husbandry, apiculture, aquaculture, dairying, floriculture, horticulture, nurseries, tree farms, sod farms, pasturage, viticulture, wholesale greenhouses; and, accessory uses customarily incidental to agricultural activities. Any and all land used in accordance with the above shall be considered to be used for agricultural purposes.

**Agriculture Related Business:** shall mean agriculturally related businesses such as, but not limited to, bulk fertilizer facilities, grain elevators, grain storage, and wholesale and retail greenhouses; kennel; sale and repair of farm implements; animal feed storage; seed research and production; wholesale and retail sales of seed; preparation, grinding and mixing of seeds, wholesale and retail; stable, commercial.



*Alley (a)*

slides, miniature golf, batting cages, booths for the conduct of games or sale of items, buildings for shows and entertainment, restaurants, food and drink sales, and souvenir sales.

**Animal Hospital/Veterinary Clinic:** shall mean a place where animals are given medical or surgical treatment and where the boarding of animals shall be limited to short-term care incidental to the hospital or clinic use.

**Animal Shelter:** shall mean any space designated to provide temporary accommodations of five (5) or more common household pets which are stray or not wanted by their owner, until the appropriate disposition or adoption of such pets occurs.

**Antenna, Antenna Tower:** see Chapter 7D of this Ordinance.

**Apartment:** shall mean a room or suite of rooms in a multiple dwelling structure, which is arranged, designed, used or intended to be used as a residence for one family.

**Apartment Hotel:** shall mean a building or portion thereof designed for or containing individual guest rooms and suites of rooms, and dwelling units, the majority of which are for permanent guests. Maid and janitor service may be provided but kitchen facilities are not necessarily included.

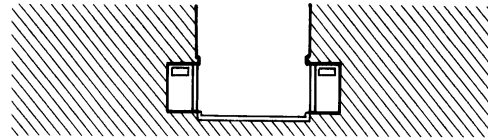
**Apiary or Apiculture:** shall mean a use which provides for the collection of bee hives or colonies of bees, typically for the purpose of honey production.

**Alley:** shall mean a public or private way, not less than 16 feet or more than 20 feet wide, except as otherwise approved as part of a traditional neighborhood development (TND), along the side or rear of a parcel, primarily designed to serve as a secondary means of access to parcels whose principal frontage is on a public street. (Ordinance Number 09-O-64, adopted October 20, 2009).

**Alterations, Structural:** see “structural alteration”.

**Amusement Park:** shall mean a commercially operated facility, primarily outdoors, which may include structures and buildings, where there are various devices and equipment for entertainment, including but not limited to motorized rides, water

**Arcade:** shall mean a building frontage type where the building façade above the ground level overlaps a public sidewalk while the ground level portion of the building maintains a required or established setback.



*Arcade*

**Assisted Living:** shall mean a special combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of elderly or developmentally disabled individuals who need assistance with daily living activities.

**Auction House:** shall mean a building or structure, or area within such a building or structure, used for the public sale of goods, wares, merchandise, or equipment to the highest bidder. This definition excludes temporary auctions, such as those conducted for the purpose of disposing of an estate or livestock.

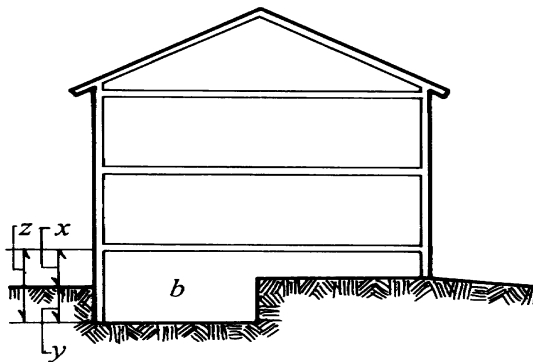
**Automobile Repair, Major:** shall mean motor vehicle and/or trailer body rebuilding, body repair, frame or fender straightening, alignment, repair, overall painting, reconditioning, remodeling of worn or damaged motor vehicles and trailers, and upholstery.

**Automobile Repair, Minor:** shall mean incidental repairs limited to the replacing and/or repair of parts and the provision of service to motor vehicles, but not including any activities specified under "Automobile Repair, Major".

**Automobile or Truck Showroom:** shall mean a permanent room or building to be used exclusively for the year-round display of automobiles, trucks, and other motorized vehicles, and which shall include related sales offices and restroom facilities. The exterior display of such vehicles for sale is considered an accessory use to the showroom use. See Section 7B.2.7 of this Ordinance.

**Awning:** shall mean a roof-like cover or canopy that is temporary in nature and projects from the wall of a building for the purpose of shielding a doorway or window from the elements.

**Banquet Hall:** shall mean an establishment rented by individuals or groups to accommodate private functions including, but not limited to banquets, weddings, anniversaries, and similar celebrations, and which may include facilities for the preparation, catering, and/or serving of food for on-premises consumption during said functions.



***Basement (b),***

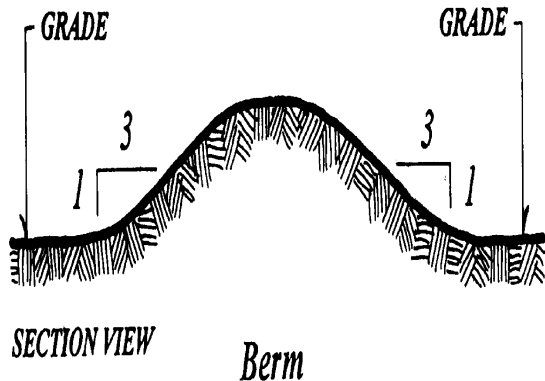
*Where  $x > y$  and  $z \leq 14$  feet*

**Basement:** shall mean a space within a building which has more than one-half of its floor-to-ceiling height above the average level of the adjoining ground and with a floor-to-ceiling height of not more than fourteen (14) feet. (Ordinance Number 09-O-64, adopted October 20, 2009).

**Bed and Breakfast:** see Section 7B.2.10 of this Ordinance.

**Bedroom:** see Chapter 10 of this Ordinance.

**Beer Garden:** shall mean a permanent establishment which includes an out-door area in which alcoholic beverages or food are served. A temporary beer garden operates for not more than seven consecutive days in conjunction with a single event or celebration.

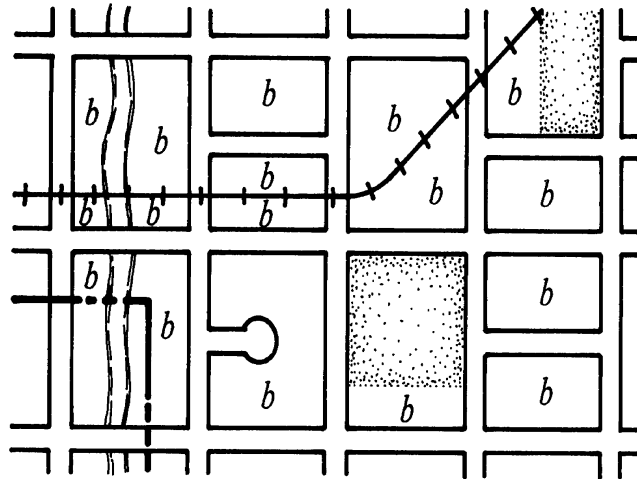


**Berm:** shall mean soil of good quality, uncompacted, raised generally above the surrounding finish grade with side slopes generally no steeper than three (3) horizontal units to one (1) vertical unit (3:1).

**Big-box Store, Superstore, Warehouse Store:** shall mean a self-service retail store having a minimum gross floor area of 75,000 square feet, which sells food, drugs, household merchandise, clothing, and a variety of other retail goods. It may include, but is not limited to, membership warehouse clubs that emphasize bulk sales, discount stores, and department stores.

**Block:** shall mean a tract of land bounded by streets, or by a combination of streets, public parks, cemeteries, railroad right-of-way, shorelines or banks of waterways, municipal, township and county boundary lines. A block may be divided into individual lots.

**Boarding House:** shall mean a building, other than a hotel or restaurant, where meals or meals and lodging are provided for compensation for four (4) or more persons who are not members of the keeper's family.



*Block (b)*

**Breezeway:** shall mean a covered pedestrian passageway, open on at least two sides and not attached to a primary structure, which is used to provide access between a primary structure and an accessory structure on the same site, such as between a house and a garage. The construction of a breezeway between a primary structure and an accessory structure shall not affect the criteria for determining required building setback measurements for said accessory structure.

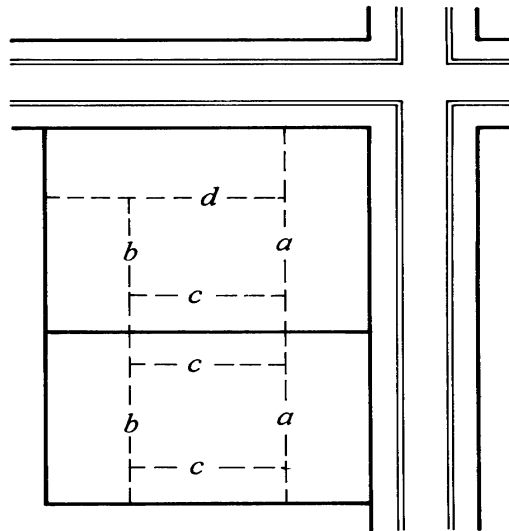
**Brew Pub, Microbrewery:** shall mean a restaurant or dining establishment that includes the brewing of beer as an accessory use and primarily for on-site consumption. Such accessory use may occupy up to ½ of the gross floor area of the restaurant.

**Buffer:** shall mean a type of landscaping treatment in which a variety of plants, including understory trees and evergreens, and earthen mounds, provide a visual barrier between adjoining land uses and from other impacting uses, such as roadways, parking lots, etc.

**Buildable Area:** shall mean the area of a lot or parcel remaining after yard and other minimum open space requirements of this Ordinance have been satisfied, or as depicted on an approved final plat, or specified in an approved special use permit. (Ordinance Number 09-O-64, adopted October 20, 2009).

**Building:** shall mean a structure with substantial walls and a roof, securely affixed to the land, entirely separated on all sides from any other structure by space or by walls in which there are no communication doors, windows, or openings, and which is designed or intended for the enclosure, shelter or protection of persons, animals or other property. The term “building” includes both the above ground and the below ground portions of the structure, as well as gas or liquid storage tanks. All forms of vehicles, even if immobilized, are excluded from this definition. A “principal building” is a building which accommodates the main use of the zoning lot on which it is situated.

**Building Height:** shall mean the vertical distance of a building measured at the horizontal midpoint of the front wall of a building between the finished grade at the front wall of the building and the highest point of the roof or parapet walls, excluding chimneys, mechanical equipment, cooling towers, storage tanks, bulkheads, spires, water towers, and antennae attached to or resting upon the building. The height of a gable, hip, or gambrel roof shall be measured at the horizontal midpoint of the front wall of a building between the finished grade at the front wall of the building and the mean height level between the eaves and ridge of the roof.



***Building Lines (Setbacks)***

*Where a = Front Building Line  
b = Rear Building Line  
c = Side Building Line  
d = Corner Side Building Line*

**Building Line:** shall mean a line parallel to adjacent property lines at a specified distance from said property lines, and establishing the minimum open space to be provided between building(s) and adjacent property lines. This term may also be known as "building setback line" or "setback line."

**Building Permit:** shall mean a written statement issued by the Community Development Director which authorizes various types of construction activity, including but not limited to structural, electrical, plumbing, mechanical, demolition, and similar work.

**Bulk:** shall be the term used to describe the size and mutual relationships of buildings and other structures as to size, height, coverage, shape, location of exterior walls in relation to lot lines, to the center line of streets, to other walls of the same building, and to all open spaces relating to the building or structure.

**Bus Garage, Car Barn:** shall mean any enclosed building, structure, or premises designed and constructed for the parking, storage, or display of buses or motor vehicles.

**Business:** shall mean an occupation, employment or enterprise which occupies time, attention, labor and materials, or wherein merchandise is exhibited, bought or sold, or where services are offered for compensation.

**Car Wash, Truck Wash:** shall mean a structure, or portion thereof, containing facilities for washing automobiles and/or trucks, and which may utilize production-line methods such as a conveyor, blower, steam-cleaning device or other mechanical devices, and may include detailing services.

**Carport:** shall mean a permanent roofed accessory structure, attached or detached, permanently open on at least 2 sides, designed and used for the parking of passenger vehicles. (Ordinance Number 09-O-64, adopted October 20, 2009).

**Catering, Catering Service:** shall mean an establishment that prepares and supplies meals or refreshments for off-premise consumption.

**Cellar:** shall mean a space within a building with less than one-half of its floor-to-ceiling height above the average finished grade of the adjoining ground or with a floor-to-ceiling height of not more than fourteen (14) feet. A cellar shall not be counted as a story for the purpose of height measurement.

**Certificate of Occupancy:** shall mean a certificate issued by the Community Development Department stating that a building or use complies with the ordinances of the City relating to building, zoning, and use, and that it may be occupied.

**Church or Place of Worship:** shall mean a building or structure in which people assemble on a regular, permanent basis for worship and for the administration of such offices, activities, and services as pertain to that membership and its mission.

**City:** shall mean the City of Woodstock, an Illinois municipal corporation.

**Club or Lodge:** shall mean a private association of people organized for a common purpose and usually characterized by certain membership qualifications, payment of dues, regular meetings, and by-laws, which jointly meet in a building or on a lot or parcel which is owned or leased by the club or lodge to pursue common goals, interests, or activities.

**Cluster Development:** shall mean a design technique used to preserve open space, agricultural lands, natural site features, woodlands, and/or wetlands, where dwelling or occupancy units are grouped together adjacent to natural site amenities, on small individual building sites or lots with guaranteed permanent interest in public or private open space. The number of dwelling or occupancy units in a cluster development shall be no greater than that permitted in the zoning classification of the parcel under consideration, unless specifically approved by the City. The number of dwelling or occupancy units allowed shall be calculated on a net basis including the open space and residential areas but excluding street right-of-way.

**Commercial Use:** shall mean a business activity carried out for monetary gain and involving the buying and selling of goods and services.

**Community Center:** shall mean a place, building, or structure that is used for meeting, recreation, or social activity, that is not operated for profit, where neither alcoholic beverages or meals are normally disbursed, and which is generally open to the public and designed to accommodate and serve significant segments of the community.

**Comprehensive Plan, comprehensive planning documents:** shall mean a generalized policy document and plan map, which as amended from time to time, as well as other planning documents, that has been

adopted by the City Council and identifies goals, objectives, and implementation measures with regard to future growth, development, and land use in the City and its planning jurisdiction.

**Concession Stand:** shall mean a structure devoted to the accessory sale of confections, snacks, food items, or other light meals and providing no inside seating nor drive-in service for its customers. Such a use shall be subject to applicable laws and regulations of the McHenry County Department of Health.

**Condominium:** shall mean the individual ownership of dwelling units or occupancy units that are located on a lot or lots jointly owned in common by said owners, or a means of ownership consisting of an individual interest in common with other purchasers in a portion of real property, together with a separate interest in space in a building and/or separate interest in other portions of such real property. A condominium is not a building or housing type, but rather a form of ownership.

**Congregate Living Facility:** shall mean any building or portion thereof used for long term residential purposes by the elderly, and which shall include common dining and recreational features, special safety and convenience features designed to meet the needs of the elderly, and social services including but not limited to meals, housekeeping, transportation services, linen, and organized social activities.

**Conservancy Area, Conservation Area:** shall mean any parcel or area of undeveloped land, including those characterized by steep slopes, wetlands, flood plains, high water tables, wooded areas with mature and/or rare tree species, endangered species habitat, or areas of significant biological productivity or uniqueness, and which have been designated for protection from any activity that would significantly alter its ecological integrity, balance, or character. A “conservancy area” or “conservation area” is preserved, restored, and maintained in its natural state for perpetuity through deed restrictions, covenants, easements, or similar legal measures.

**Conservation Design:** shall mean a design system that takes into account the natural landscape and ecology of a development site and facilitates development while maintaining the most valuable natural features and functions of the site. “Conservation design” includes specific site design principles and practices that can be combined to create environmentally sound development. Main principles for conservation design include (1) flexibility in site design and lot size, (2) protection and management of natural areas, (3) reduction in impervious surface area, and (4) the implementation of sustainable and best management practices, so that at least half of a development site will be designated as permanent open space.

**Conservation Development:** shall mean a development in which dwelling or occupancy units are concentrated or clustered in specific areas in order to allow other portions of the development to be preserved for common open space, including restoration, preservation, and management of aesthetic, cultural, historical, natural, or environmentally sensitive features. (Ordinance Number 09-O-64, adopted October 20, 2009).

**Contiguous Land:** shall mean a tract of land which shares all or a part of a common lot or property line with another tract of land, as well as land parcels which are next to each other, abutting, or touching, and having a common boundary, or portion thereof, which is coterminous. Tracts of land connected by a point are not considered contiguous.

**Crematory:** shall mean a self-enclosed structure used for the disposal of bodily remains through confined external combustion and operated in compliance with the Illinois Crematory Regulation Act.

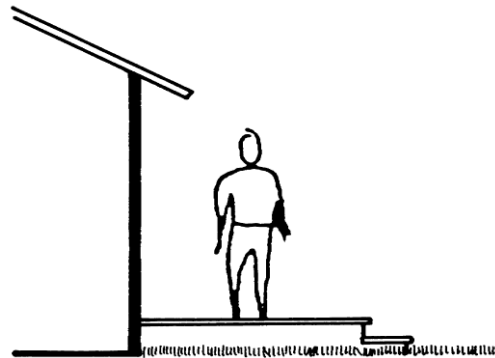
**Critical Root Zone:** shall mean the area inscribed by an imaginary circular line on the ground beneath a tree having as its center point the center of the trunk of the tree and a radius equal to 1 foot for every 1 inch of trunk diameter (DBH). The same calculation is often used to describe the drip line of a tree. See definition of “drip line”.

**Day Care Center, Adult:** shall mean a non-residential building or facility providing a variety of health, social, and related support services in a protective setting for 6 or more handicapped persons or senior citizens who for reasons of physical or mental impairment are in need of such services. Services may be provided during any part of the day but for no more than 12 hours in a 24 hour time period.

**Day Care Center, Child:** shall mean a building or facility or group of buildings licensed by the Illinois Department of Children and Family Services, which provides care and supervision on a regular basis at least twice a week for three or more children. For purposes of this Ordinance, a “day care center, child” does not include a building or facility or group of buildings serving children who have reached the age of three and which is operated by a school or similar institution registered with the Illinois State Board of Education or operated by a church or religious institution.

**Day Care, Home:** shall mean the care of at least 3 but not more than 8 children for less than twenty-four (24) hours per day, located in a residence and licensed by the Illinois Department of Children and Family Services. The maximum number of children permitted includes the family's natural, foster or adopted children and all other persons under the age of twelve. For purposes of this Ordinance, “home day care” does not include residences or facilities which receive only children from a single household. A “home day care” facility is an accessory and secondary use of a residential premises and may be a home occupation.

**Deck:** shall mean an unenclosed platform serving as a floor, located above the finished grade, and adjoining or attached to a building. A deck has no solid walls other than the wall of the building to which it may be attached. (Ordinance Number 09-O-64, adopted October 20, 2009).



*Deck*

**Density, Base:** shall mean the number of dwelling units that, based on the underlying zoning designation, can occupy a gross acre of land without taking into account such physical features as woodlands, wetlands, floodplain, and similar natural resource features.

**Developer:** shall mean the individual or entity applying for subdivision approval or similar land use approvals, and/or responsible for providing required public and private site improvements.

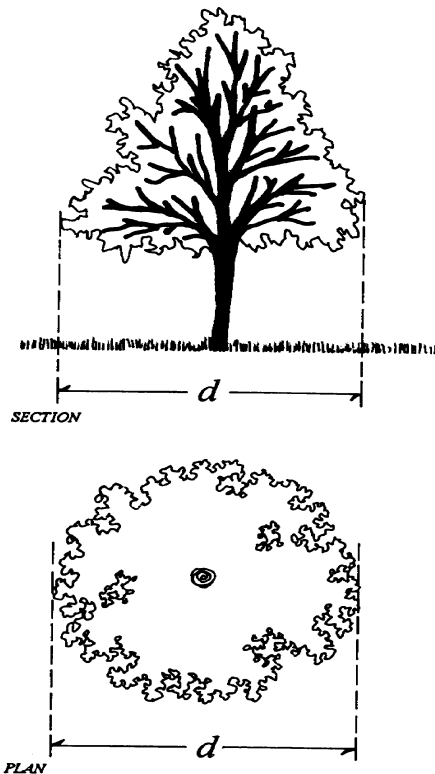
**Development:** shall mean any man-made change to improved or unimproved real estate, including but not limited to earth moving, excavating, filling, grading and paving; mining or drilling operations; and the construction of or substantial improvements to any building or other structure. In addition, this term shall include any activity, excavation, fill, subdivision, change in land use, or practice, including without limitation redevelopment undertaken by public or private entities, that affects the discharge of stormwater.

**Discontinuance:** shall mean the cessation or termination of a use or activity for a period of six (6) months (180 days), which shall be classified as discontinuance under the non-conformity use regulations set forth in Section 7A.5 herein. The availability on the premises of public utilities, such as water, gas, electricity or telephone, shall not be considered a continuance of the use or activity.

**District, Zoning:** shall mean divisions of land shown on the zoning map of the City and located within the corporate areas of the City of Woodstock, in which regulations governing the use of land are uniform. The terms “zone”, “district”, and “zoning district” are synonymous when used to refer to areas where the character and intensity of land use is regulated by this Ordinance.



**Dog Run:** shall mean an enclosed outdoor area intended for the exercising and/or containment of dogs or other animals.



***Drip Line (d)***

**Drip Line:** shall mean the zone lying between the trunk of a tree or shrub and the extreme outer edge of the leaf and branch structure, i.e., the diameter of the leaf and branch structure extended vertically down to the soil surface. See definition of “critical root zone”.

**Drive-Up Facility:** shall mean a facility or establishment which is designed, intended or used for transaction of business with customers in automobiles. A drive-up facility may be the principal or an auxiliary function of the business. A drive-up facility does not include mail or parcel collection boxes.

**Driveway:** shall mean a private roadway providing vehicular access from a street or alley to adjacent property.

**Drive-Up Facility:** shall mean a facility or establishment which is designed, intended or used for transaction of business with customers in automobiles. A drive-up facility may be a principal or accessory use on a lot, but does not include mail or parcel collection boxes.

**Driveway:** shall mean a private, paved strip of land providing a vehicular connection between the vehicular connection between a street or alley and a parking space, parking lot, garage, or similar parking facility on adjacent property. A “driveway” is primarily a vehicular route which creates access from a street to an off-street parking area.

**Dwelling:** shall mean a building or portion thereof resting on a foundation, designed or used exclusively for residential occupancy, including single-family, two-family, town home or row house, apartment, and multiple-family uses, but not including hotels, motels, lodging houses, or similar uses.

**Dwelling, Accessory Apartment:** shall mean a secondary accessory dwelling unit, arranged, designed, used and intended for use by individuals 55 years of age and older as living quarters for one household. An accessory senior apartment shall include sleeping, cooking, eating and sanitation facilities, shall be located either attached to or within the primary structure, or within a free-standing accessory building, and shall have its own exterior entrance.

**Dwelling, Apartment:** shall mean a building or portion thereof containing three or more dwelling units, and in which a dwelling unit or a portion thereof may be located above or to the side of another dwelling unit, or above or below any other independently used portion of the building. A “dwelling, apartment” shall not include town homes, row houses, or group homes. Primary ingress and egress to the building, or portion thereof containing the dwelling units, shall be achieved from a common or shared entrance. This term is synonymous with the term “multiple-family dwelling”.

**Dwelling, Attached Single-Family:** shall mean a building consisting of dwelling units each of which is attached by common vertical wall to at least one other dwelling unit, with each dwelling unit having a

separate exterior entrance and constructed at grade, and found in rows or clusters of eight or less dwelling units. This term shall include, but is not limited to, the following: "townhouse", "rowhouse", "duplex", "three-plex", and "four-plex". In addition, each dwelling unit shall have its primary exterior access on the ground floor.

**Dwelling, Detached Single-Family:** shall mean a free-standing building, designed exclusively for use and occupancy by one family, containing one dwelling unit, and entirely separated from any other residential dwelling.

**Dwelling, Duplex:** shall mean a building containing two (2) dwelling units where one (1) dwelling unit is joined with the other dwelling unit on one (1) side by a common wall. No dwelling unit or portion thereof within a duplex dwelling shall be located above or below another dwelling unit. Each dwelling unit shall have an exterior entrance located on the ground floor.

**Dwelling, Efficiency:** shall mean a dwelling unit consisting of not more than one habitable room together with cooking and sanitary facilities.

**Dwelling, Group:** shall mean a building containing accommodations for more than two persons, other than family, in which there are common dining facilities, and including a dormitory or rooming house.

**Dwelling, Rooming House:** shall mean a building or a portion thereof utilized as a dwelling unit which is the primary residence of the owner and which contains lodging rooms for occupancy at a monthly rate of compensation by permanent residents who are not related to the owner. A rooming house maintains a common household. Rooming house dwellings include boarding houses and lodging houses, but exclude residential care facilities and bed and breakfast facilities.

**Dwelling, Two-Family:** shall mean a building designed exclusively for and consisting of two (2) dwelling units where one dwelling unit is located on the first floor and the second dwelling unit is located on the second floor, and where each dwelling unit may or may not have a separate exterior entrance.

**Dwelling Unit:** shall mean one or more rooms in a residential structure, arranged, designed, or used as living quarters for not more than one family. Each dwelling unit shall have an independent entrance, cooking, sleeping and sanitary facilities.

**Dwelling, Zero Lot Line:** shall mean a design for the siting of a detached single-family dwelling on or very near one side lot line, thereby leaving the other side yard area open for use. All or nearly all of the total side yard area is located on one side of the dwelling unit. Dwelling units shall not have windows on the zero lot side, thus providing greater privacy for the dwelling unit with the expanded side yard.

**Easement:** shall mean an authorization or grant by the owner of land for use by the public, a corporation, an individual, an organization, or other body, of an area of land for specified purposes. Such a grant shall establish the right of the public, a corporation, an individual, an organization, or other body to use public or private land for a specific purpose. An easement includes right-of-way granted for the limited and specific use of private land for a public or quasi-public purpose.

**Easement, Conservation:** shall mean a technique that allows the City or a property owner to limit or restrict development in perpetuity in order to protect natural and environmental resources and features within a specific area or location. A "conservation easement" stipulates that a specific land area shall remain in its natural, scenic, open, or wooded state, precluding future or additional development activity thereon.

**Eave:** shall mean the projecting lower edges of a roof, overhanging the wall of a building.

**Extended Care Facility:** shall mean an institution or a distinct part of an institution which is licensed and approved to provide health care under medical supervision for twenty-four (24) or more consecutive hours for two or more patients.

**Facade:** shall mean the vertical surface of a building set along a lot or parcel line. Facades are subject to visual definition by building height, setback lines, recess lines, and transition lines.

**Family:** shall mean two or more persons related by blood, marriage or adoption, including foster children, or a group of not more than five persons (excluding servants) who need not be related by blood, marriage or adoption, living together and maintaining a common household, or no more than two individuals not necessarily related to each other by blood, and their dependents, together with domestic servants, living as a single, not-for-profit housekeeping unit occupying a dwelling unit, or as otherwise defined by the Federal Fair Housing Act as may be amended from time to time.

**Farm Stand:** shall mean a detached accessory building or structure from which agricultural products produced on the premises are sold on a seasonal basis.

**Fence:** shall mean a free standing structure of metal, masonry, composition or wood or any combination thereof permanently installed by being partially buried in the ground and rising above ground level, and used for confinement, screening, or partition purposes. (Ordinance Number 09-O-64, adopted October 20, 2009).

**Flood Base Elevation:** see Chapter 11 of this Ordinance.

**Flood Plain:** see Chapter 11 of this Ordinance.

**Flood Table Land:** see Chapter 11 of this Ordinance.

**Floor Area:** see Section 7A.3.E of this Ordinance.

**Floor Area Ratio (FAR):** shall mean the floor area of the building or buildings on a lot divided by the area of such lot, or in the case of planned unit developments, by the net site area. Floor area ratio provides a measure of the intensity of development without regard to building height. For example, a FAR of 1.0 allows a 43,560 square feet of floor area on a one-acre parcel. The building could be a two-story structure with a 21,780 square foot footprint or a three-story structure with a 14,520 square foot footprint.

**Food and Beverage Sales/Facilities:** shall mean an establishment where the principal use is the retail sale of food, including meats, produce, bakery and dry goods, and may include accessory preparation of food for consumption on or off the premises.

**Food Service Operation/Business:** shall mean an establishment where the principal use is the preparation of food for on-site or take-out consumption.

**Fraternal Organization:** shall mean a group of individuals formally organized for a common interest, usually cultural, religious, educational, social or entertainment, with regular meetings and formal written membership requirements.

**Foundry:** shall mean a building, premises, or portion thereof in which metal is melted and poured into a mold or otherwise fabricated.

**Garage, Bus or Truck:** shall mean any building used or intended to be used for the storage of three or more passenger motor buses, or motor coaches used in public transportation, including school buses, or a building which is used or intended to be used for the storage of motor trucks, truck trailers, tractors and commercial vehicles exceeding a one and one-half ton capacity.

**Garage, Private:** shall mean a detached accessory building or portion of the primary building or structure, designed, used, or intended for the storage of the occupant's motor vehicles.

**Garage, Private Parking:** shall mean an accessory building or an accessory portion of the primary building or structure, designed, used, or intended for private use, designed or used for the storage and shelter of motor vehicles for compensation, with no facilities for mechanical service or repair of a retail nature.

**Garage, Public Parking:** shall mean a building or portion thereof, other than a private garage, designed or used for the storage of motor vehicles, or where such vehicles are kept for remuneration, hire or sale within said structure, but not including trucks, tractors, truck trailers and commercial vehicles exceeding a one and one-half ton capacity.

**Garden Center:** shall mean a place of business where plants, nursery products, fertilizers, potting soil, garden tools and utensils are sold to the public. The sales and storage of the merchandise is permitted in any outside area adjacent to the principal building and fenced.

**Gasoline Station, Fueling Station:** shall mean an establishment in any building or on any lot, parcel, or premises, or a portion thereof, where gasoline or other motor fuel stored in underground or aboveground tanks, lubricating oil or grease, or fluids for operating or protecting motor vehicles, are offered for direct on-premise retail sale to the public, and where the on-site servicing of vehicles with such products may occur.

**Golf Course/Golf Club/Country Club:** shall mean a land area and building containing recreational facilities, clubhouse, and usual accessory uses, typically open only to members and their guests for a membership fee.

**Grade:** shall mean the average level of the finished surface of a lot or parcel, or of the ground adjacent to the exterior walls of a building or structure.

**Groundwater Recharge:** shall mean the replenishment of existing natural underground water supplies.

**Group Home, Type 1:** shall mean a structure or building constructed as a single family residence and used to provide accommodations on a relatively permanent basis for up to five (5) unrelated persons, consisting of individuals who are undergoing treatment or rehabilitation for disabilities, and their live-in staff. Visiting staff who do not reside within the group home shall not be counted for purposes of determining the number of residents. Services provided within a Type 1 Group Home shall be restricted to the residents of the facility. A Type 1 Group Home does not include dormitory uses or accommodations provided for individuals who are students of a college, university, monastery or other educational/institutional use. It does not include residences that serve as an alternative to incarceration for persons convicted of criminal offenses, or residences for persons whose primary reason for placement therein is the treatment of a communicable disease.

**Group Home, Type 2:** shall mean a structure or facility for more than five (5) unrelated persons including live-in staff, and which contains common cooking facilities and common living and eating areas. A Type 2 Group Home may include, but is not limited to, convents, residences for developmentally disabled persons, residences for individuals who are undergoing treatment or rehabilitation for disabilities, orphanages and monasteries. It does not include residences that serve as an alternative to incarceration for persons convicted of criminal offenses, or residences for persons whose primary reason for placement therein is the treatment of a communicable disease.

**Guest House:** shall mean living quarters within a detached accessory building located on the same premises as the primary structure, for use by a temporary guest of the occupants of said premises. Such quarters shall not have kitchen facilities and shall not be rented or otherwise used as a separate dwelling.

**Habitable Space:** shall mean space in a structure designed for living, sleeping, eating or cooking, but excluding bathrooms, toilet compartments, closets, halls, storage or utility spaces and similar areas.

**Health Club:** shall mean a facility designed for the purpose of physical conditioning and fitness or weight reduction which includes, but is not limited to such equipment as free weights, weight resistance machines, cardiovascular machines, whirl pools, saunas, showers, lockers, swimming pools, or basketball and racquet courts. This shall include athletic clubs and municipal recreation buildings.

**Home Improvement Center:** shall mean an establishment where home improvement materials, including but not limited to, kitchen and bathroom accessories and fixtures, wall coverings, window coverings, heating and air conditioning, plumbing and electrical supplies, painting and decorating material, tools and residential construction and remodeling materials and supplies are sold for retail. Outdoor storage of building materials may be allowed, but is considered accessory to the principal use and structure.

**Home Occupation, Home Based Business:** shall mean a business, profession, occupation or trade conducted for pecuniary gain entirely within a residential building.

**Hospital:** shall mean an institution providing primary health care services and medical or surgical care to in-patients suffering from illness, disease, injury, and other abnormal physical or mental conditions and including as an integral part of the institution, related facilities such as laboratories, pharmacies, out-patient facilities or training facilities.

**Hospital Health Care Campus:** shall mean a tract of land having an area of twenty (20) acres or more, which is developed to serve and function as a unified and complete medical and health care complex. A Hospital Health Care Campus may be comprised of more than one (1) principal building and may contain several principal uses. All land uses, however, shall be related so that they contribute to the function and purpose of a self-contained health care facility.

**Hotel:** see definition of “motel”.

**Impermeable Surface, Impervious Surface:** shall mean a surface that does not absorb water or any non-vertical surface artificially covered or hardened so as to prevent or impede the percolation of water into underlying soil, including but not limited to roof tops, paved roads, driveways, walkways, and parking areas. The term “impervious surface” excludes landscaping, surface water detention and retention facilities, and utility easements.

**Impound Yard:** shall mean a secured facility that provides temporary outdoor storage for vehicles that are wrecked, inoperable, awaiting insurance adjustment or transport to a repair facility, or that have been involved in an illegal activity. Such vehicles may be kept in an impound yard for no more than forty-five days, unless authorized for a longer time period by the City Police Department.

**Intergovernmental Agreement:** shall mean a contractual or other formal agreement between the City and one or more political jurisdictions, that results in a cooperative action or activity. An “intergovernmental agreement” may be used to (1) establish a land use and planning jurisdictional boundary between the City and neighboring communities or to (2) establish standards and procedures for land use activity proposed between the City and neighboring communities. Intergovernmental agreements are authorized by Article VII, Section 10, of the Constitution of the State of Illinois and in accordance with 65 ILCS 5/11-12-9 and the Intergovernmental Cooperation Act, 5 ILCS 220/1 et. seq.

**Junk Yard:** shall mean an open area of land and any accessory building or structure thereon which is used for buying, selling, exchanging, storing, baling, packing, disassembling, or handling waste or scrap materials, including vehicles, machinery, and equipment not in operable condition or parts thereof, and other metals, paper, plastics, rags, rubber tires, and bottles. Two (2) or more inoperable motor vehicles stored on a zoning lot shall be considered a junkyard. A “junkyard” includes a “salvage and wrecking yard”, but does not include an establishment located in the applicable manufacturing district engaged

exclusively in the processing of scrap iron or other metals to be sold only to establishments engaged in manufacturing of steel or metal alloys.

**Kennel or Boarding Kennel:** shall mean any lot or premises, or portion thereof, whether public or private, on which more than five (5) dogs, five (5) cats, or five (5) other household domestic animals over six (6) months of age are kept, maintained, boarded, bred, or cared for in return for remunerations or are kept for the purpose of sale.

**Laboratory:** shall mean a building, or portion thereof, in which scientific and applied research, development, investigation, testing, analysis, or experimentation is conducted on a regular basis, but not devoted to the manufacturing of a product or products.

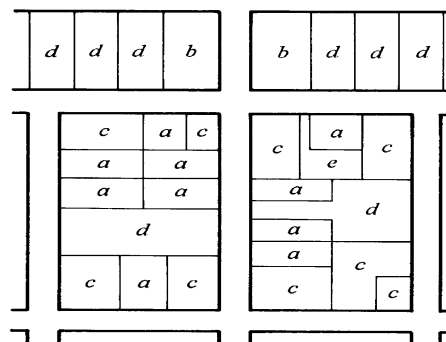
**Letter of Credit:** shall mean a security instrument required by the City to ensure that necessary physical improvements will be installed and function, as required, and in accordance with approved plans and specifications, for a specific period of time. The term “letter of credit” when used in this Ordinance may be used interchangeably with the term “bond”. (Ordinance Number 09-O-64, adopted October 20, 2009).

**Land banking:** shall mean the purchase, acquisition, or designation of land for use or development at a later date. The reservation of land for land banking purposes does not involve any transfer of property rights, but constitutes an obligation to keep property free from development for a stated period of time. Such land may be used at a later date for public purposes, such as a park or school site, or for private purposes, such as parking lots or detention.

**Liquor Store:** shall mean a place of business selling beer, wine, distilled liquors, or other alcoholic beverages at retail, to the general public in sealed bottles or containers for consumption or use away from the premises where said establishment is located.

**Long Term Care Facility:** shall mean a facility which provides personal sheltered intermediate or skilled care for persons in need of such care, for an extended period of time and regardless of age.

**Lot:** shall mean a parcel of land occupied or intended to be occupied by a single principal building or use, including a designated portion of a subdivision or other parcel of land intended for transfer of ownership. A “lot” may include parts of or a combination of several lots when adjacent to one another and used as one parcel.



**Lots:**

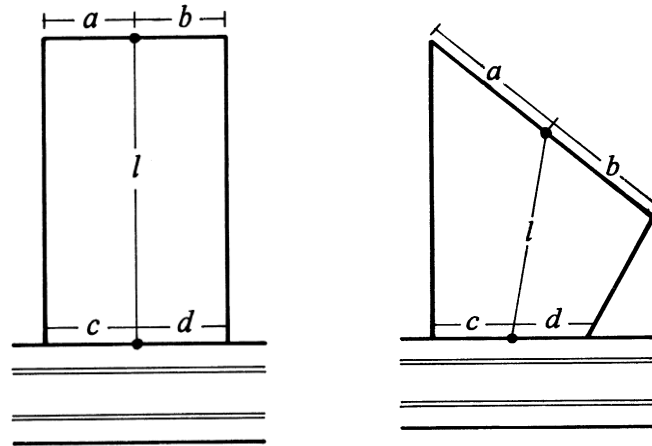
- (a) Interior Lot
- (b) Gateway Lot
- (c) Corner Lot
- (d) Double Frontage Lot
- (e) Flag Lot

**Lot Area:** shall mean the gross area of a horizontal plane bounded by the front, side and rear lot lines. Calculation of the required minimum lot area shall not include street right-of-way, whether dedicated to the public or a private street or easement for street purposes.

**Lot, Corner:** shall mean a lot which is situated at and abuts the intersection of two or more streets or adjoins a curved street at the end of a block. A corner lot shall also refer to a lot which has its front and one side yard bordering on a street

**Lot Coverage:** shall mean the area of a zoning lot occupied by the principal building and accessory structures.

**Lot Depth:** shall mean the distance between the midpoints of the front lot line and the midpoint of the rear lot line, exclusive of any easements for street purposes.



**Lot Depth (l):** where  $a=b$   
and  $c=d$

**Lot, Double Frontage:** shall mean any lot which has both its rear yard and its front yard bordering on a street. A double frontage lot may also be known as a “through lot” but is not a “corner lot.”

**Lot, Flag:** shall mean a lot with access provided to the bulk of the lot by a narrow corridor of property, where the narrow corridor frontage is the only public street frontage.

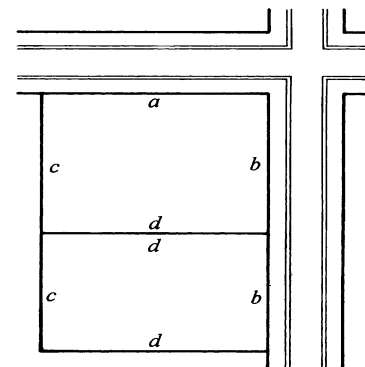
**Lot, Frontage:** shall mean the straight line distance between the intersection of the side lot lines and the front lot line of a parcel or lot, or the entire portion of a lot or parcel abutting a public street right-of-way or private street.

**Lot, Interior:** shall mean a lot which has only its front yard bordering on a street and not a corner lot.

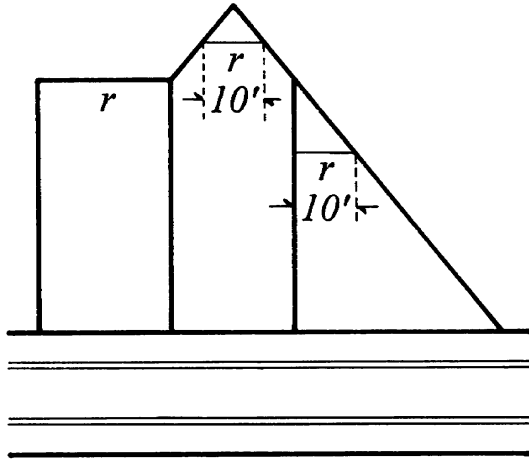
**Lot Lines:** shall mean the lines bounding a lot as defined herein.

**Lot Line, Front:** shall mean a street right-of-way forming a boundary of a lot. On a corner lot, the Community Development Director shall designate which of the two lot lines abutting a street right-of-way shall be considered a front lot line and which shall be considered a side lot line.

**Lot Line, Rear:** shall mean a lot-line which is opposite and most distant from the front lot-line and, in the case of irregular lot lines, triangular or gore-shaped lots, a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot-line.



**Lot Lines:**  
(a) Corner Side Yard Line  
(b) Front Yard Line  
(c) Rear Yard Line  
(d) Side Yard Line



***Rear Lot Line (r)***

**Lot Line, Side:** shall mean any lot boundary line not a front lot line or a rear lot line.

**Lot Line, Zero:** shall mean the setback of a building when such building is located on a lot so that one or more of its exterior walls rests directly on a side lot line. A building with a zero lot line setback shall not be allowed unless an access easement of five (5) feet on the adjoining lot or parcel is provided or unless it abuts a building or structure on the adjoining lot.

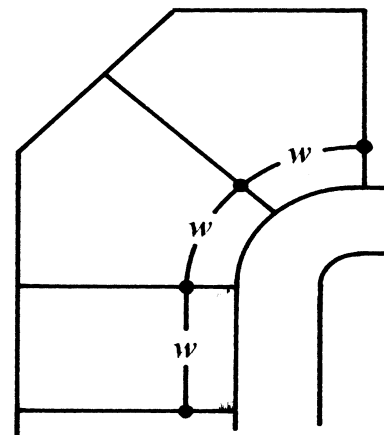
**Lot, Record:** shall mean a lot which is part of a subdivision, the plat of which has been recorded with the McHenry County Recorder of Deeds, or a legally created parcel of land, the deed to which is recorded with said McHenry County Recorder. This term is also known as a “lot of record”.

**Lot, Reverse Corner:** shall mean a corner lot, the rear of which abuts the side of another lot, whether or not across from an abutting alley.

**Lot, Reverse Frontage:** shall mean a through lot that is not accessible from one of the parallel or non-intersecting streets upon which it fronts.

**Lot Width:** shall mean the horizontal distance between the side lot lines of a lot measured within the lot boundary along the front building line.

**Lot, Zoning:** shall mean a single tract of land under common ownership, wholly within the boundaries of the City and on one side of a public street, and which has frontage on a public street or private drive approved as part of a subdivision, which is or may be a tract to be used, developed or built upon as a unit, under single ownership or control and which meets all requirements of this Ordinance. The division of a zoning lot may or may not result in the creation of two or more zoning lots, and a zoning lot may or may not coincide with a lot of record.



***Lot Width (w)***

**Lumber Yard:** shall mean an establishment where the principal activity is the retail and wholesale sale of wood products and generally involving outdoor storage of building materials and supplies.

**Manufacturing or Industrial Use:** shall mean a business activity involving the mechanical or chemical transformation of materials or substances, including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins or liquors, or other raw or processed materials, into new products.

**Medical Cannabis Cultivation Center:** shall mean a facility operated by an organization or business that is registered by the State of Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis. (Ordinance Number 13-O-57, adopted November 19, 2013).



**Medical Cannabis Dispensary** (or “dispensing organization” or “dispensary organization”): shall mean a facility operated by an organization or business that is registered by the State of Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients. (Ordinance Number 13-O-57, adopted November 19, 2013).

**Medical Clinic, Dental Clinic:** shall mean an establishment where two or more licensed doctors of medicine or dentistry engage in the practice of medicine, operating on a group or individual basis with pooled facilities such as coordinated laboratory, x-ray and allied departments, for the diagnosis and treatment of humans, and may include a drug prescription counter (not a drug store) for dispensing prescription drugs and pharmaceutical products to patients.

**Mental Health Facility:** shall mean an individual, association or group, or a building or premises at one location, whose primary purpose is to provide services for the care, counseling, treatment, habilitation, or rehabilitation of the mentally ill, the developmentally disabled, or substance abusers.

**Mining, Earth Extraction:** shall mean the removal and/or processing of mineral or aggregate resources from places of natural occurrence to surface location, whether or not for barter, sale, trade or other economic benefit. The cutting, grading, trenching, digging or building of any building foundation, or the grading and filling of a site, when conducted as part of the construction of a building or structure which has been permitted by the City are not included in this definition. Prospecting activities or activities involved in the act of searching for or investigating an aggregate resource are also not included in this definition. However, activities involved in the development of an aggregate resource that has been found and is being removed and/or processed, including but not limited to site preparation, drilling, pilot plant operations, and the construction of roads, berms, and other facilities, are included in this definition.

**Mobile Kitchen:** shall mean a commercially manufactured mobile food unit intended or designed for the cooking or preparation of hot and cold ready-to-eat food and drink for sale or distribution, established on non-municipally owned property and on a temporary basis. The location of a mobile kitchen can change from time to time through the use of motorized transportation, and shall not be located in or on a permanent building or structure. A mobile kitchen shall not include ice cream trucks or food vending pushcarts, bicycles, or stands (Ordinance Number 11-O-53, adopted September 20, 2011).

**Motel:** shall mean a building offering transient occupancy containing lodging rooms directly accessible from an exterior hall or entrance, providing living, sleeping and sanitary facilities, whether such establishment is designated as a hotel, inn, automobile court, motor inn, motor lodge, tourist court, or otherwise.

**Natural Resources Plan:** shall mean a detailed program and strategy for the management, maintenance, preservation, and protection of natural elements, including but not limited to soils, geology, topography, surface and subsurface waters, wetlands, vegetation, and habitat.

**Nightclub:** shall mean an establishment where alcoholic beverages are served for consumption on the premises and live, recorded, or televised entertainment is provided. The establishment may provide for dancing and a menu for prepared food items during hours of operation. A nightclub shall not include an “adult business.”

**Non-profit Conservation Organization:** shall mean any charitable corporation, charitable association, or charitable trust (such as a land trust), the purposes or powers of which include retaining or protecting natural, scenic or open space values of real property, assuring the availability of said property for agricultural, forest, recreational or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archeological or cultural aspects of real property.

**Nursery:** shall mean a land or structure(s) or a combination used to raise flowers, shrubs, trees, and other plant material for sale.

**Nursery School:** See “day care center, child”.

**Nursing Home, Rest Home, Sheltered Care Facility:** shall mean an extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care of children, the aged, or the infirm who by reasons of chronic illness or infirmity are unable to care for themselves, but not including facilities for the treatment of disease or injuries or for surgical care, or for the treatment of maternity or mental illness. Such a facility may occur in a private home, but may not provide care for more than 5 individuals and shall not include facilities for the treatment of sickness or injuries or for the provision of surgical care.

**Occupancy Unit:** shall mean any building or structure, or portion thereof, which is legally occupied by an approved permitted use. Each occupancy unit shall have an independent entrance and sanitary facilities, and may include a dwelling unit. (Ordinance Number 09-O-64, adopted October 20, 2009).

**Office:** shall mean a room, group of rooms, or premises used for conducting the business and clerical affairs of a business, profession, service, industry, or government.

**Open Space:** shall mean land or tracts of land reserved, designated, and dedicated in order to remain undeveloped, including those for park and recreational uses. “Open space” may be used for passive recreation purposes and for active recreation uses, and may include detention areas, retention areas, wetlands, pedestrian trails, and plazas (See Chapter 8B, Conservation Design Standards, and Section 5.9, Open Space Requirements for Cluster Development, for additional language as it applies to specific open space requirements).

**Outlot:** shall mean a lot within a subdivision created solely as open space, for public utility facilities, or for a similar use, and for which a building permit shall not be issued.

**Overlay District:** shall mean a type of zoning district that modifies another underlying zoning district. Property having an overlay zoning designation also has an underlying basic zoning designation. The overlaying zoning designation has a set of regulations which add an additional layer of design provisions and approval procedures to an underlying zoning district.

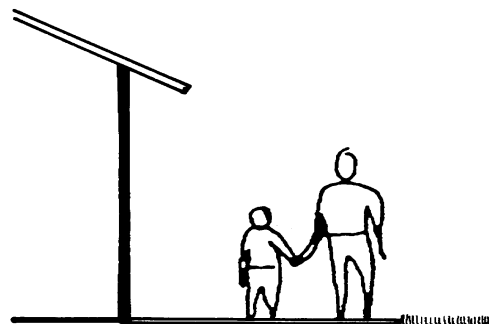
**Parcel:** shall mean contiguous land under single ownership or control.

**Parking Space:** shall mean a space within a private or public parking area used to store automobiles, vans or small trucks. See Section 9.10 of this Ordinance.

**Parking Lot:** shall mean an off-street, open, hard-surfaced area, used for the temporary storage of more than four (4) automobiles or commercial vehicles, whether for free or for compensation, or as an accommodation for clients, customers or employees.

**Parkway:** shall mean land between a property line and the curb of a street, or in the absence of a curb, between the property line and the nearest edge of the street pavement. The “parkway” is usually used for planting grass, low ground cover and/or street trees.

**Patio:** shall mean a level, unenclosed hard-surfaced area located at grade and usually adjoining or attached to a building.



*Patio*

**Permeable Surface:** shall mean a non-vertical surface which is capable of absorbing or being penetrated by surface water, and that allows said surface water to percolate into underlying soil.

**Planned Unit Development (PUD):** shall mean a tract of land, the development of which is approved and authorized by City Council ordinance, and contains two (2) or more principal buildings or has an area of two or more acres, and is developed as a single unit or under single ownership or unified control. A PUD may contain a mixture of principal uses and dwelling types and is designed specifically for the conditions on the site and to achieve a unified overall development. A PUD may not completely conform to all the regulations of the zoning district in which it is located. A PUD development should blend densities and design features with surrounding uses and may, based upon good design, combine uses not normally permitted together.

**Planning and Zoning Administrator:** shall mean the Planning and Zoning Administrator for the City of Woodstock or designee. (Ordinance Number 09-O-64, adopted October 20, 2009).

**Plat Act:** shall mean the Plat Act (765 ILCS 205/0.01 *et. seq.*, as amended from time to time) as set forth and contained in the Illinois Compiled Statutes.

**Plat, Conceptual:** also referred to as “conceptual plan”, this shall mean a general sketch of a proposed subdivision or development site with enough accuracy and detail to indicate major design features, and to be used for purposes of discussion and review.

**Plat, Final:** shall mean a map prepared by an Illinois Registered Land Surveyor and depicting all or a portion of a subdivision, and that has been prepared for purposes of obtaining City approval, and recording with the McHenry County Recorder.

**Plat, Preliminary:** shall mean a detailed map or site plan indicating a proposed subdivision layout that has been prepared for submittal to the City in order to obtain preliminary approval of said subdivision layout.

**Plat of Survey:** shall mean a document prepared by an Illinois licensed surveyor that depicts a tract of land and its boundaries and legal description, or the location of individual properties and streets.

**Power Generation Plant:** shall mean the principal use of land, buildings, or structures for the generation of electrical power which is primarily intended to be used at a site other than on which it is manufactured.

**Project Review:** shall mean the process through which appearance and design approval is provided for all private development projects, with the exception of single family detached residences or duplex dwellings. Regulations and standards approved by the City Council, including but not limited to those pertaining to appearance of buildings and structures, site landscaping, site lighting, building and structure materials and colors form the basis of this review process.

**Property Owners/Home Owners Association:** shall mean a private, not-for-profit corporation of property owners that operates and maintains various common properties in a subdivision or development.

**Protected Tree:** All desirable native tree species having a diameter at breast height (DBH) of 4 or more inches, and all other existing trees with a DBH of 8 or more inches, excluding the invasive species common buckthorn (*Rhamnus cathartica*) and glossy buckthorn (*Rhamnus frangula*).

**Pub:** see “tavern”.

**Queuing Space:** shall mean the space occupied by any number of motor vehicles that must be accommodated while awaiting ingress or egress to a specified business or service establishment.

**Recreational Vehicle:** shall mean any camping trailer, motor home, mini-motor home, travel trailer, truck camper, van camper, and boat trailer, used primarily for recreational purposes and not used commercially or as living quarters, as well as any vehicle bearing recreational vehicle registration license plats. For purposes of this definition, a vehicle trailer with a vehicle mounted on it shall be considered one vehicle.

**Recycling Center:** shall mean a facility that is not a junkyard, in which recoverable resources from used materials and products are purchased, collected, processed for reuse, or temporarily stored prior to sale to others who will use the recovered resources to manufacture new products.

**Remodel, Remodeling:** shall mean to remake or redecorate the interior or exterior of a structure, upgrading and/or changing of electrical, mechanical, and plumbing systems, or making cosmetic changes to the exterior of a structure, without making structural alterations or increasing the size of a structure.

**Repair Facility, Motor Vehicle:** shall mean any building, or portion thereof, used for the repair or replacement of engines, transmissions, differentials, drive trains, or any part thereof, in addition to the replacement of parts, service and incidental repairs to motor vehicles, but excluding operations specified under “repair facility, truck and large equipment.”

**Repair Facility, Truck and Large Equipment:** shall mean any building, or portion thereof, used for the repair, rebuilding, or overhauling of trucks, tractors, truck trailers and industrial and commercial vehicles in excess of one and one-half (1 and ½) tons capacity, or their bodies.

**Restaurant:** shall mean any building or part thereof where food items are prepared and sold for compensation to the general public for immediate consumption on and/or off the premises, including any part of such building which is used for dining by the general public. The retail sale of beer, wine and other alcoholic beverages for consumption on the premises may be allowed and dancing is permitted. Reheating of already prepared food by microwave and/or the selling of already prepared food for consumption off premises does not constitute a restaurant.

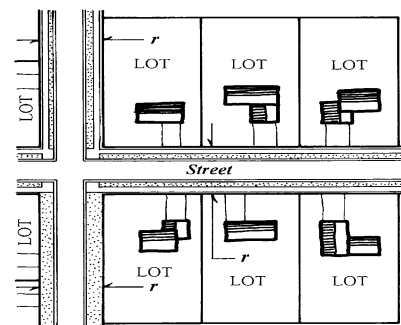
**Retirement Community:** shall mean a residential complex containing dwellings designed for and principally occupied by residents 55 years of age or older. Such facilities may include any housing form, including single family detached and attached dwellings, duplex dwellings, and apartments, but do not provide institutional care such as medical or nursing assistance.

**Rezoning:** shall mean a process whereby the zoning designation of a piece of land is changed by the City Council from one district to another. A rezoning requires the adoption of an ordinance by the City Council, which ordinance provides for the change in zoning status.

**Right-of-Way, Public:** shall mean land dedicated to the City or other governmental entity and occupied or intended to be occupied by a street and other public improvements and designated for streets, roads, railroads, utility lines, landscape amenities, or for similar public purposes and uses. The width of a public right-of-way shall be measured as the shortest distance between the lot line delineating the public right-of-way.

**Roadside Stand, Farm Stand:** shall mean a structure for the temporary display and sale of seasonal agricultural products grown on-site, together with required parking accommodations, but without space for customers within the structure.

**Sales, Passenger Vehicles and/or Motorcycles:** shall mean the use of any building or premises for the storage and display for sale and lease of more than two passenger motor vehicles, including motorcycles, where repair and body work is incidental to the operation of the new or used vehicle sales, and where an



*Right-of-Way (ROW) (r)*

automobile showroom shall be provided and where exterior display shall occur on an open, dust-free, paved surface.

**Sales, Trucks and/or Large Equipment:** shall mean the use of any building or premises for the storage and display for sale and lease of more than two trucks, including heavy equipment such as tractors, cranes, and farm implements, and where the related repair of such equipment is incidental to the sales activity and where a showroom is provided. The exterior display for sale or lease of such vehicles or equipment may occur as an accessory use provided it is on an open, dust-free, paved surface.

**Salvage and Wrecking Yard:** shall mean any place, land, building or structure, or use thereof, in which any of the following activities takes place:

1. Where one or more items or tangible personal property, hereinafter set forth, that are abandoned, discarded, scrapped, salvaged, not in running condition, or not in good and safe operating condition, are stored or stand in the open or in an enclosure.
2. Where one or more items of tangible personal property, hereinafter set forth, are stripped, junked, wrecked, dismantled, scrapped, or salvaged.

The items of tangible personal property referred to in Paragraphs 1 and 2 above include automobiles, trucks, trailers, buses, tractors, farm implements, farm machinery, motorcycles, wagons, construction equipment, any other type of vehicles, or any part or parts thereof, lumber, wood, junk, trash, debris, paper, tires, furniture, stoves, refrigerators, freezers, plumbing fixtures, cans, containers, industrial and other wastes, copper, brass, iron, steel, tin, aluminum, lead and other metal or alloy, rags, batteries, machinery and any other ferrous or non-ferrous materials, goods or articles.

**School, Trade:** shall mean a school which principally offers, for profit, specific courses of instruction in business, trade, management, or industry or other trained skills, but does not offer academic instruction equivalent to the standards prescribed by the School Code of Illinois. A trade school may also be referred to as a “commercial school” or “vocational school”.

**School, Private:** shall mean an institution conducting regular academic instruction at kindergarten, elementary, junior high and senior high school levels, operated by non-governmental organizations, which programs are accepted by the State of Illinois in lieu of public instruction. This shall not include private commercial schools.

**School, Public:** shall mean a public institution conducting regular academic instruction at the kindergarten, elementary, junior high and senior high school levels equivalent to the standards prescribed by the School Code of Illinois.

**Service Station:** shall mean a gasoline station or fueling station, a portion of which is used for the repair or replacement of engines, transmissions, differentials, drive trains or any part thereof, in addition to the replacement of parts, service and incidental repairs to motor vehicles, but excluding operations specified under “motor vehicle body shop.”

**Setback:** shall refer to matters of spatial definition and shall mean the mandatory distance between a frontage line or lot line and the wall of a structure.

**Shed:** shall mean an accessory structure used primarily for the storage of residential garden or lawn equipment, tools, recreational equipment, and similar supplies and items.

**Shopping Center:** shall mean a group of more than five (5) business establishments, which may be in separate buildings or structures, and planned, developed and managed as a unit, located on the same lot with off-street parking provided on the property. See Section 7B.2.31 of this Ordinance.

**Sign:** see Chapter 13 of this Ordinance.

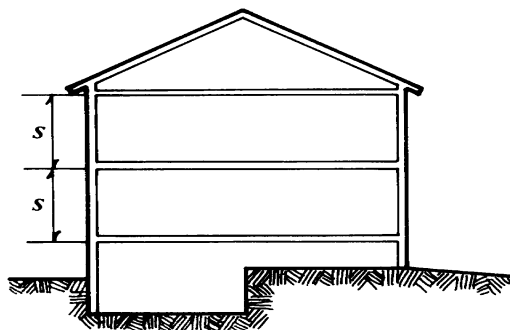
**Site, Building:** shall mean the ground area of a building or a group of buildings together with all open spaces as required by this Ordinance.

**Sight Triangle:** shall mean a triangular area established on private property at the intersection of two (2) streets or a street and a driveway in which nothing shall be erected, planted, or allowed to grow so as to limit or obstruct the sight distance of motorists and pedestrians.

**Snout House:** shall mean a single-family detached or two-family structure where an attached or detached front load garage extends five feet or more beyond the front wall of said structure and dominates the streetscape. For purposes of this definition, the term “front wall” shall mean that portion of the house closest to the front yard setback line and used for living purposes.

**Special Service Area (SSA):** shall mean an area which is subject to taxes levied or imposed for the provision of special services to said area. Under no circumstances shall the provision of such special services by the City constitute an acceptance of or assumption of responsibility by the City for any personal property or real property within the special service area. Special service areas are authorized by Article VII, Section 7, of the Constitution of the State of Illinois and in accordance the provisions of the Special Service Area Tax Law Act, 35 ILCS 200/27-5 et. seq.

**Sports Complex, Recreation Complex:** shall mean an indoor or outdoor facility which provides accommodations for a variety of individual or team recreational and sporting activities, including organized or franchised sports. A “sports complex, recreation complex” may include but is not limited to baseball/softball, basketball, golf, ice hockey, soccer, swimming, tennis, track and field events, volleyball, wrestling, and appropriate accessory uses.



*Story (s)*

**Story:** shall mean that portion of a building included between the surface of any floor and the surface of the floor immediately above, or if there is no floor above, the space between the floor and the above ceiling.

**Street:** shall mean the paved or unpaved portion of a public or private right-of-way, other than an alley, which affords a principal means of vehicular access to abutting property.

**Street, Arterial:** shall mean a street of substantial contiguity, designed to carry large volumes of traffic for both the immediate area and the region in which it

is located, with limited access and normally controlled by signalization and traffic signs on side streets, whose primary purpose is to collect and distribute through traffic to and from collector streets.

**Street, Collector:** shall mean a street used primarily for short trips and for collecting traffic from minor streets/local streets to arterial streets.

**Street, Cul-De-Sac:** shall mean a local street having one outlet and being permanently terminated by (a) a circular turnaround or (b) by a looped driving surface where building and lots are not provided within the internal area defined by said loop, or (c) by a temporary t-turn-around.

**Street, Frontage Road:** shall mean a service road, usually parallel and adjacent to, and separate from a highway or arterial road, separated therefrom by a dividing strip, and designed to reduce the number of access points and driveways which intersect the highway or arterial road.

**Street, Local:** shall mean a street of limited continuity designed to provide access to abutting properties and to discourage through traffic, including minor streets, cul-de-sac streets, and frontage roads.

**Street, Major:** shall mean a street that is designed and intended to carry large volumes of traffic, and which includes arterial and collector streets.

**Street, Minor:** shall mean a street which is designed and intended for the sole purpose of providing frontage for service and access to private lots. These streets carry traffic having either destination or origin on the street itself. The elimination of through traffic and the geometric design of a minor street are means to promote safety and to create a desirable neighborhood.

**Street, Private:** shall mean a street that has not and will not be accepted by the City and that is privately owned and maintained.

**Street, Public:** shall mean a street located within a public right-of-way which has been accepted and is maintained by the City.

**Street Orientation:** shall mean the direction of the architectural front facade of a building in relation to the street.

**Street Tree:** shall mean a tree of standard growth habit acceptable to the City for installing within a public street right-of-way.

**Street Width:** shall mean the distance of a paved road surface measured from the back of the curb on one side to the back of the curb on the opposite side. Where curb and gutter improvements are not present or not required, this term shall mean the distance of a paved road surface measured from the edge of pavement to the opposite edge of pavement.

**Structural Alteration:** shall mean any change or modification, other than incidental repairs or alterations required by of this Ordinance, which prolongs the life of the supporting member of a structure such as bearing walls, columns, beams, girders or foundations.

**Structure:** shall mean anything erected, the use of which requires more or less permanent location on or in the ground or attached to something having a permanent location on or in the ground, including buildings, towers, antennae, decks, garden sheds and swimming pools. (Ordinance Number 09-O-64, adopted October 20, 2009).

**Subdivision:** shall mean a division of a lot, tract, or parcel of land into two or more lots, tracts, or parcels, or other divisions of land for sale, development or lease.

**Subdivision, Major:** shall mean a subdivision not classified as a minor subdivision.

**Subdivision, Minor:** shall mean the division of any lot, tract or parcel of land that does not involve any one or more of the following: (a) any new streets or easements required for access; (b) the creation of more than ten lots; (c) a planned unit development.

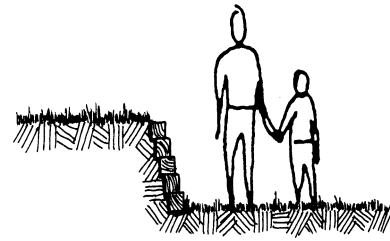
**Tavern, Bar:** shall mean an establishment used primarily for the retail sale of beer, wine and other alcoholic beverages for on premise consumption and where food may be prepared and/or provided during the hours of operation. The incidental sale of packaged liquor may be provided and dancing may be permitted on the premises.

**Teen Club, Youth Club:** shall mean a building or part of a building in which entertainment, either live or recorded, is provided with or without dancing by customers and patrons, for persons 13 through 20 years of age, and where admission, membership dues, or a minimum fee or cover charge is required. Such a use

shall not include uses operated by public agencies or private charitable organizations, such as church youth centers or community youth centers provided for recreation or assembly.

**Terminal, Motor Freight:** shall mean a building or an area in which freight brought by truck is assembled and/or temporarily stored for routing or reshipment, or in which semi-trailers, including tractor and/or trailer units and other trucks, are parked or stored.

**Terrace:** shall mean a landscape treatment of mounded earth, rock wall, railroad tie wall or other retaining device used to modify steep grade differences on a lot, but not including a patio or deck surface.



*Terrace*

**Tract:** is used interchangeably with the term “lot”, particularly in the context of subdivisions, where one “tract” may be subdivided into several “lots”.

**Traditional Neighborhood Development, Traditional Neighborhood Design:** shall mean a development based on human scale design where there is a balanced mix of residential, commercial, and civic buildings and uses within close proximity to each other. A traditional neighborhood development has a recognizable center and clearly defined edges, and typically exhibits characteristics such as alleys, streets laid out in a grid system, a mix of housing types and prices, buildings oriented towards the street, pedestrian orientation, and reduced use and dependency on automobile usage.

**Trailer:** shall mean any structure built on a chassis for licensing by the Secretary of State as a trailer and designed for general hauling or recreational purposes.

**Transitional Housing/Shelter:** shall mean a building where persons who may not have access to traditional or permanent housing, but are capable of living independently, reside for at least 30 days but no more than 18 months, receive counseling, and participate in appropriate activities designed to facilitate independent living. (Ordinance Number 09-O-64, adopted October 20, 2009).

**Tree Survey:** shall mean a scaled drawing accurately locating and indicating the size, condition and species (common and scientific names) of all desirable native tree species having a diameter at breast height (DBH) of 4 or more inches, and all other existing trees with a DBH of 8 or more inches, including dead or dying trees, but excluding the invasive species common buckthorn (*Rhamnus cathartica*) and glossy buckthorn (*Rhamnus frangula*). Where trees are located in a permanently dedicated conservation easement or protected through deed restrictions and will be free from any grading activity, identification of individual trees is not required.

**Use:** shall mean the purpose or purposes for which land, buildings or structures is (are) designed, arranged or intended, or for which they are or may be occupied or maintained.

**Use, Accessory (also accessory structure):** shall mean a structure or use customarily incidental to and auxiliary to the use of a principal structure or use on the same premises with such principal structure or use. When the wall of an accessory structure is a part of or joined to the wall of the principal structure such accessory structure shall be construed as a part of the principal structure.

**Use, Non-Conforming:** shall mean any building or structure or use of any building, structure, or tract of land, lawfully existing or under construction at the time of adoption of this Ordinance or of a later amendment, but does not conform to one (1) or more of the requirements or restrictions of this Ordinance.

**Use, Permitted:** shall mean a use which is allowed as a matter of right within a specific zoning district.

**Use, Principal:** shall mean the dominant structure or use on a lot or parcel, to which all other uses on said lot or parcel are subordinate. A principal use may also be referred to as a “primary use”.



**Use, Supplemental:** shall mean a permitted use which because of its intensity or potential impact on adjoining and/or area properties, is subject to additional design criteria and review procedures.

**Use, Temporary:** shall mean a use established for a fixed period of time and approved via the issuance of a Temporary Use Permit by the City, with the intent that such use will terminate automatically upon expiration of the fixed time period unless permission to conduct the use is renewed.

**Utility, Public:** shall mean any agency that, under public franchise or ownership, or under certificate of convenience and necessity, or by grant of authority by the City, provides the public with electricity, gas, heat, communication transmissions, transportation, water, sewage collection, storm water management, or other similar service.

**Variation:** shall mean a modification of the application of the zoning regulations contained in this Ordinance in specific cases where practical difficulties or particular hardships, not common to other property owners in the district, would result from following the strict letter of said regulations.

**Wall, Common:** shall mean an interior wall that separates and distinguishes two (2) or more occupancy units or uses located in the same building or structure, and conforms to the fire resistance requirements of the City's building codes.

**Warehouse, Self-Storage Facility:** shall mean a building or group of buildings in a controlled access and fenced compound that contains various sizes of individual, compartmentalized, self-contained units, each having a separate means of ingress, which are leased or owned solely for the storage of business and/or household goods. A business shall not be operated within or from a self-storage unit.

**Warehouse, Storage:** shall mean a building or structure, or part thereof, or area used principally for the storage and distribution of goods, merchandise, manufactured products, supplies, and equipment, but excluding bulk storage of materials that are flammable or explosive or that create hazardous or commonly recognized offensive conditions. A warehouse may include a distribution center and accessory facilities for wholesale or retail outlets.

**Wastewater Treatment Plant, Sewage Treatment Plant:** shall mean a facility used for the treatment of industrial or domestic wastewater conveyed through the public sewer system, and for the reduction and handling of solids and/or gases removed from such wastewater. Facilities used for the pretreatment or reuse of industrial wastewater are excluded from this definition.

**Water Supply System:** shall mean those facilities and sites, including reservoirs, pumping stations, filtration plants, treatment plants, and storage tanks, which provide piped potable water for consumption and use by the public.

**Water Table:** shall mean the depth at which ground water is found beneath the surface of the land.

**Wetland:** refer to City of Woodstock "Stormwater Management Ordinance".

**Wholesale Establishment:** shall mean a business establishment principally engaged in selling to retailers or distributors rather than to consumers.

**Wireless Communication Facility:** See Chapter 7D of this Ordinance.

**Wrecking Yard, Vehicle:** shall mean a lot or parcel or any portion thereof where two (2) or more motor vehicles or trailers which have not been capable of operating under their own power for a period of thirty (30) days, and from which parts have been or are to be removed for sale or reuse, or any land, buildings, or structures used for the wrecking, dismantling, salvage, sale or storage of such motor vehicles, trailers or the parts thereof.

**Yard:** shall mean an open space on a lot which is unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted in this Ordinance, and which extends along a lot line and at right angles or radial thereto to a depth or width specified in the yard regulations for the district in which the zoning lot is located.

**Yard, Front:** shall mean a yard extending across the full length of a front lot line and back to a line drawn parallel to the front lot line at a distance equal to the required front yard depth.

**Yard, Rear:** shall mean a yard extending across the full length of a rear lot line and back to a line drawn parallel to the rear lot line at a distance equal to the required rear yard depth, but excluding any area encompassed within a required corner side yard.

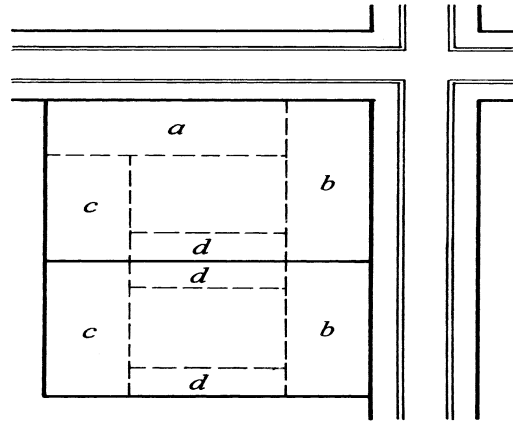
**Yard, Side:** shall mean a yard extending across the full length of a side lot line and back to a line drawn parallel to the side lot line at a distance equal to the required side yard, depth, but excluding any area encompassed within a required front yard or rear yard.

**Yard, Side Abutting a Street:** shall mean a yard adjacent to a public street or alley, which extends across the full length of a corner side lot line and back to a line drawn parallel to the corner side lot line, at a distance equal to the required corner side yard depth.

**Zone:** See “district, zoning”.

**Zoning Map:** shall mean the map which designates the various zoning districts of the City and which is approved by the City Council and incorporated into this Ordinance as a part thereof.

**Zoning Officer:** shall mean the Community and Economic Development Director for the City of Woodstock, who is responsible for enforcing this Ordinance.



***Yards:***

- (a) Corner Side Yard*
- (b) Front Yard*
- (c) Rear Yard*
- (d) Side Yard*